

*Approved Meeting Minutes
South Florida Ecosystem Restoration Task Force
Miami Airport Marriott
November 13, 2000*

Welcome and Introductions

MS. Doyle opened meeting at 11:10 AM. Mr. Michael Davis introduced Major General Phil Anderson, new Division Commander from Atlanta. Mr. Davis stated Congress has passed the Water Resources Development Act enabling the Corps to implement the Comprehensive Everglades Restoration Plan. He also introduced COL Greg May who will serve as the new District Engineer for the Jacksonville District. Ms. Doyle introduced Ms. Maureen Finnerty, new Superintendent of Everglades National Park.

The Following Task Force Members Were Present:

Mary Doyle, Task Force Chair – U.S. Department of the Interior
Brad Brown for Elgie Holstein, U.S. Department of Commerce
Michael Collins, South Florida Water Management District
Peter Coppelman for Lois Schiffer, U.S. Department of Justice
Michael Davis, U.S. Department of the Army
Richard Harvey for Jonathan Charles Fox, U.S. Environmental Protection Agency
Dexter Lehtinen, Miccosukee Tribe of Indians
Jim Shore, Seminole Tribe of Florida
Rick Smith for J. Allison DeFoor, Office of the Governor
Ron Smola for Glenda Humiston, U.S. Department of Agriculture

The Following Task Force Members Were Not Present:

Clarence Anthony, Mayor - City of South Bay
J. Allison DeFoor, Office of the Governor
Jonathan Charles Fox, Environmental Protection Agency
Elgie Holstein, U.S. Department of Commerce
Glenda Humiston, U.S. Department of Agriculture
Lois Schiffer, U.S. Department of Justice
David Struhs, Department of Environmental Protection

Working Group Update

Mr. Rock Salt announced the Working Group would be moving out with the regional assessments in Southwest Florida, the Kissimmee and the Florida Keys. The Working Group will implement the Strategy document, laying out the work and coordination effort. He presented the proposed 2001 meeting schedule and noted there are four Task Force meetings scheduled in January, April, July and October 2001. The Working Group will be preparing the Biennial Report and the draft will be presented for Task Force approval at the January 2001 meeting. He encouraged Task Force members to attend the Greater Everglades Ecosystem Restoration Science Conference scheduled for December 11 – 15, 2000 in Naples, FL. Rick Smith stated there could be a conflict with the April Task Force meeting that is scheduled during the last week of the Legislative Session.

CERP Implementation

Mr. Dennis Duke provided an update on the progress made by the Corps in implementing the CERP. Two Critical Project contracts were awarded in September for the S-9A and S-380 projects and the Lake Trafford restoration contract will be coming up for award next summer. Congress provided \$20 million for the Critical Projects Program and \$20 million for the Kissimmee project in FY 2001. The initial authorization for the C&SF project amounts to over \$1 billion, with future authorizations to provide for the remaining funds.

The Design Agreement with the SFWMD was executed for 56 of the 68 components. Each project will have a Project Management Plan (PMP) defining the scope, tasks, schedule and budget. Responsibility for the projects will be shared equally between the Corps and the South Florida Water Management District

(SFWMD). A Project Implementation Report (PIR) will be prepared once the PMP is approved to further define the plan. A Project Cooperation Agreement (PCA) allowing construction of the project will be signed after State and Congressional concurrence is received on the detailed design.

Project Management Plans (PMPs) are being prepared for the initial 12 projects including the six pilot projects. The Implementation Plan, which is described in section 10 of the Restudy Report, is being updated and will be published as soon as possible. Organizational changes are underway at both the Corps and SFWMD. The Corps and the District are moving forward with the twelve initial projects and five feasibility studies.

Mr. Dexter Lehtinen questioned the source of the map used in the Miami Herald article when the Everglades Bill was signed which according to the newspaper the source of the map was the Department of Interior and the Corps of Engineers. Mr. Lehtinen stated the map said the Bill called for the condemning the 8.5 square mile area and shutting all gates between S-333. Mr. Duke stated there is nothing of that nature in that Bill and he added that there has not been any other map developed beyond what is contained in the Restudy recommended plan.

Mr. Michael Collins suggested a process be designed that would allow for an issue to be brought to the table and allow for feedback and allow for changes. Mr. Davis stated the Task Force needs to decide on what direction it wants to give the Working Group. In the past the Task Force has been more reactive and has not been aggressive as policy makers. Mr. Rick Smith suggested the Task Force look at issues of duplication of effort and issues of costs. Mr. Salt said the Working Group could design executive level technical briefings (i.e., ASR) to better enable the Task Force members to make policy decisions on issues with significant technical uncertainty. Mr. Davis stated there are bigger policy issues and gave the example of single species versus multi species management. Ms. Doyle hoped the Task Force members would participate more fully in this great groundbreaking effort.

Mr. Lehtinen asked the Corps to provide the status of the modified water deliveries project. Mr. Davis stated the record of decision has not yet been signed. He said it was his understanding the Corps has complete authority to move forward with the plan selected in the record of decision.

Ms. Doyle offered to draft a document that would lay out an issue identification process. The Task Force tasked the Working Group with identifying four or five issues to focus the Task Force's attention on. Mr. Davis offered to ask COL May to identify issues on the horizon and present those potential issues at the next Task Force meeting.

Task Force Organizational Issues

Mr. Bill Leary spoke on behalf of the role and future of the Task Force and reminded everyone that the Task Force has come a long way from its original inception. He encouraged the Task Force to do more and actively go out and help educate and persuade the public. He suggested establishing an advisory body of all the interested parties to help gain public confidence. Ms. Doyle stated the Task Force needed to clearly state its mission with a clear vision of the future. She saw the Task Force as having a role in following up on the Strategy document, CERP implementation and in the resolution of disputes.

Ms. Doyle stated the lawyers for the Department of Interior have cleared the idea to have a non-federal Vice-Chair on the Task Force. The Task Force tasked Rock Salt to develop a protocol document for the Task Force to consider at its next meeting.

The Task Force discussed the issue of whether or not it should designate an advisory body. Mr. Collins stated no decision has been made on whether the Governor's Commission would continue after July 2001. Mr. Lehtinen said he was against creating an advisory group because it could lead to a selective process that could limit access by individuals. Mr. Collins clarified enough public access is available through the monitoring process.

Comprehensive Exotic Plants

Bob Doren presented the Working Group's Assessment and proposed Strategy for invasive exotic plants in Florida. The Assessment lays out the most invasive plants in Florida along with their status, distribution and management throughout the state. The Strategy proposes how to manage 66 of the 1,000+ exotic species. Of the 66 species 27 are still being sold or recommended for use in agriculture and horticulture. An executive summary of both the Assessment and Strategy were provided. He highlighted four key scientific areas that need to be resolved

- Cross agency consistency/compatibility
- Consistency with type of information collected
- Coherent information system such as the method used to prepare maps, and
- Risk assessment system to evaluate species' invasiveness.

He added there is enough of an information base to refine existing programs and to prioritize, however, there is not enough information to implement an ecosystem level or statewide strategy. Exotic plant invasion is slow and deceptive and there has been a failure in the scientific, environmental and governmental communities to acknowledge the seriousness of this problem. He pointed to the gaps and inconsistencies in legislation

- Reducing the impact and containing the distribution of existing weed problems,
- Preventing them from becoming problems or from worsening
- Generating public awareness and support and
- Integrating federal, state and local resources to improve the effectiveness of programs. The next step includes pulling agencies together to write the implementation plan laying out agency responsibilities and prepare a coordinated budget document. He closed by saying that you will lose the Everglades if you get the water right without addressing invasive species. The state has the highest funding level at \$25 million, and as great as that is, it cannot be done by the state alone with the amount of money that is needed. Mr. Terry Rice stated this is just as important as getting the water right and suggested the Task Force get behind this effort. The Task Force instructed the Working Group to make the exotic plants issue a high priority.

Expert Panel Progress Report

Mr. Salt reviewed the scope of work and noted the expert panel has been asked to assist the Task Force to develop strategies, approaches and procedures to facilitate reduction and resolution of conflicts. Bob Jones reviewed the progress report and noted it is a work in progress and a complete draft will be presented to the Task Force at the January 2001 meeting. The role of the Task Force is nested in the broader role of coordination since it has no authority to force solutions on anyone. Many Working Group members stated additional staffing and resources should be devoted as the Working Group and Task Force engage more intensively in issues. Mr. Collins said it was unrealistic to expect there will be additional funding and agencies need to work with what they have. The way you manage issues, how issues are identified, framed, and brought to the table, needs to be clarified. The Task Force was asked to provide comments on the report particularly on the twelve steps found on page four.

Approval Items

Revised CROGEE Workplan - Mr. Salt presented the revised Workplan. Items 1 and 2 were approved at the May Task Force meeting and action was deferred on items 3 – 5. The Working Group has revised items 3 – 5 and they are being presented for Task Force approval at this meeting. The CROGEE have had several meetings and will provide a report on ASR by January/February 2001. Mr. Davis asked for clarifying language that the CROGEE works for the Task Force and he questioned whether the CROGEE could do all of the work in this time frame.

Mr. Collins said it was unclear what the CROGEE would be doing for item 5 and that he is concerned that this is the one that wanders closest to policy. Mr. Lehtinen noted his concern on item 5 and thought it was dangerous for this group to get into social science, which are policy values. He suggested this item be dropped. Mr. Brad Brown said the SCT had a problem with dropping item 5 and explained it is important in using the tools of those fields. **The Task Force approved workplan items 3 and 4 and sent item 5 back to the Working Group for refinement.**

Mr. Lehtinen asked about the source of CROGEE's funding. Ms. Doyle stated they are paid out of Interior's budget and hopefully it will be cost shared. Mr. Lehtinen asked if the CROGEE still meets in secret. Mr. Collins added there has been concern with the CROGEE being lobbied by individuals. Mr. Salt stated that the CROGEE, created by the National Academy of Science National Research Council, have congressionally approved protocols on how to do their work. Their meetings have both open and closed sessions. A summary of the closed session is published and made a part of the public record.

Draft Meeting Minutes - The Task Force approved the draft minutes from the July 19, 2000 meeting.

Public Comment

CPT Ed Davidson (Florida Audubon) said this is just the beginning of the process in the largest environmental project in the history of mankind requiring agencies to shift staffing from planning to implementation. He recognized many agencies could find themselves understaffed. The Lower East Coast Water Supply Committee of the SFWMD is the only place where all the players are involved and questioned whether this committee should have a formal relationship with the Task Force.

Mr. Lehtinen asked about the minimum flows and levels. CPT Davidson replied the Committee would provide a report in the near future.

Ms. Shannon Estenoz (World Wildlife Fund/Everglades Coalition) thanked and congratulated the Administration on the passage of WRDA adding it was a demonstration of how people can put aside obstacles to protect ecosystems. She invited everyone to attend the Everglades Coalition Conference scheduled for January 4 – 7, 2001 in Hutchinson Island. Opportunity for us to look back, celebrate how far we have come and begin to face issues in the next ten years.

Ms. Doyle thanked Ms. Estenoz as well as her organization for their help with WRDA.

Ms. Joette Lorion stated she was disconcerted by a trend in Everglades restoration to use the term *emergency* to get by complying with environmental statutes such as NEPA. She urged the Task Force to look into this adding that procedure is very important and needs to be followed. She provided a chronology (Enclosure 15) on the last four deviations from Test 7 on the Cape Sable Seaside Sparrow. It is important for the Task Force to look at single species versus ecosystem management. Water Conservation Area 3A is above regulation schedule and two gates have been closed because of the ISOP. She provided a peer review paper (Enclosure 16) published in the Florida Field Naturalist, which raises questions on the reliability of population estimates, survey methodology being used and demographic data. She urged the Task Force to read the paper and reevaluate what is being done.

Mr. Rick Smith said Water Conservation Area 3 is wet and Big Cypress to the west is dry. One of the goals is to make sure tree islands are not harmed and this needs to be addressed. Mr. Collins stated the entire Governing Board had reservations when the Corps presented the ISOP about the quality and accuracy of the science on which decisions are being based. Mr. Lehtinen stated he did not understand how the federal government could go four years without complying with NEPA. He questioned how CEQ could call something an emergency four years in a row. Mr. Collins stated there is no data that indicates that these efforts are successful. Mr. Salt noted the Working Group has had briefings on this item and has identified issues to work through.

Ms. Brenda Chalifour (United Property Owners) presented a decision paper (Enclosure 17) on how to speed the completion of the modified water deliveries project and end the 8.5 square mile area debate. She noted the new line is 8 blocks east of the old line and increases the costs by 255%. Hydrologists have suggested the new line is no better than the old line. There are unwilling sellers between the old and new lines in the proposed path of the levee. She urged national program managers to use the old Congressionally line and get the project completed faster by avoiding long court battles.

Mr. Jorge Garcia (8.5 square mile area resident) stated he bought his property 20 years ago and his family is happy there. He did not mind getting water in the driveway and dealing with snakes and has the right to

stay there as an American citizen. He closed by saying that he was not willing to sell and that he planned to stay there.

Mr. Louis Silva (8.5 square mile area resident) said he moved into this safe area in 1995 after being robbed in Kendall. The residents would go to war if needed and the residents are humans who deserve the right to be protected.

Ms. April Gromnicki (Audubon of Florida) echoed Ms. Estenoz's and Capt. Davidson's sentiments adding that sound science, sound public policy and an engaged public are critical to Everglades restoration. She encouraged the Task Force to move from public outreach to public inclusion. Audubon of Florida along with other organizations is willing to help with consensus building.

Ms. Doyle noted she had attended the Town Meeting hosted by Carrie Meek and there were hundreds of people there that were interested and wanted to be engaged. Education needs to be one of the roles for the Task Force in the future.

Ms. Clara Collado (8.5 square mile resident) said she just learned a canal would be built in the path of her house just a day ago. She questioned why she had not received a letter to let her know what was going on. She urged the Task Force to help the residents and closed by saying she did not want to sell her home.

Mr. Lehtinen agreed the Task Force needed to reach out and less outreach would be needed if their properties weren't being flooded and taken away from them. A few meetings will not convince anyone of anything if, what is promised is not done. Mr. Collins said he disagreed with Mr. Lehtinen and said the SFWMD did a post Hurricane Irene review of the District's readiness and found a number of areas where there were things that should have been done that weren't. He stressed that the District cannot completely guarantee some of the residents in Dade County that they will not have flooding when there is 15 inches of rain. The meeting adjourned at 3:30 PM.

Enclosures

1. Briefing Binder
 - a. Agenda
 - b. WRDA 2000
 - c. CERP Implementation Power Point presentation
 - d. Working Group Update – Regional Assessment
 - e. Strategy Implementation Coordination
 - f. Proposed 2001 Meeting Calendar
 - g. GEER Conference Brochure
 - h. Biennial Report Outline
 - i. WRDA 96, Section 528
 - j. Coordinating Success Strategy
 - k. Strategy Transmittal letter
 - l. Comprehensive Exotic Plants - Executive Summary of Assessment
 - m. Executive Summary of Strategy
 - n. Dispute Resolution – Scope of Work
 - o. Progress Report
 - p. CROGEE Workplan
 - q. Draft Meeting Minutes – July 19, 2000
 - r. Task Force Roster
 - s. Task Force Charter
 - t. Working Group Roster
 - u. Working Group Charter
2. GAO Report (RCED –00-235)
3. Chronology of 4 So-Called Emergency Deviations from Test 7 for the Sparrow